

BEFORE

THE PUBLIC UTILITIES COMMISSION OF OHIO

In the Matter of the Commission's )  
Investigation into the Implementation )  
of Section 276 of the Telecommunications ) Case No. 96-1310-TP-COI  
Act of 1996 Regarding Pay Telephone )  
Services. )

ENTRY

The Commission finds:

- (1) On February 8, 1996, the President signed into law the Telecommunications Act of 1996 (1996 Act). On September 20, 1996, the Federal Communications Commission (FCC) released a Report and Order (Order) in CC Docket No. 96-128 (In the Matter of Implementation of the Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996) implementing Section 276 of the 1996 Act regarding payphone services. The FCC's order requires, among other things, local exchange carriers (LECs) to provide payphone services to competitors under the same terms and conditions that they provide services to their own payphone operations.
- (2) On November 8, 1996, the FCC released its Order on Reconsideration in CC Docket No. 96-128 requiring every incumbent LEC to provide to its respective state commission, by January 15, 1997, proposed tariffs offering individual central office coin transmission services to payphone service providers (PSPs) under nondiscriminatory, public, tariffed offerings. The FCC's Order on Reconsideration further concludes that incumbent LECs must provide basic payphone services that enable independent providers to offer payphone services using either instrument-implemented "smart payphones" or "dumb payphones" that utilize central office coin services.
- (3) The FCC indicates in its Order on Reconsideration that tariffs for these payphone services must be cost based, consistent with the requirements of Section 276 of the 1996 Act, and nondiscriminatory. The FCC's Order on Reconsideration also requires that any basic network services used to provide payphone services must be similarly available to independent payphone providers on a nondiscriminatory, tariffed basis.

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These unbundled features must be tariffed in both the state and federal jurisdictions.

- (4) The Public Utilities Commission of Ohio (Commission) has recently initiated the above-captioned proceeding to carry out, on an intrastate basis, the requirements of Section 276 of the 1996 Act and the FCC's decisions in CC Docket No. 96-128 regarding the provision of payphone services. Consistent with the FCC's Order on Reconsideration in CC Docket No. 96-128, all incumbent LECs operating within the State of Ohio are hereby required to file with the Commission, under this docket, by January 15, 1997, tariffs proposing to provide two types of payphone access lines. As mentioned above, one access line must be able to accommodate "dumb payphones" that utilize central office provided coin services. The other access line must be able to support instrument implemented "smart payphones." Calls initiated over both types of payphone access lines must carry the two digit identification codes included with the automatic number identification (ANI), which designates to the network the call as being originated at a payphone location. This proper coding will ensure that operators are able to screen payphone calls correctly and, further, will assist in ensuring that compensation between PSPs and interexchange carriers occurs properly.
- (5) For those small LECs (i.e., those under 15,000 access lines) looking for direction on how to proceed in establishing a proposed access line rate that will accommodate an instrument-implemented smart payphones, the Commission would allow, but not require, that these companies mirror their single-line nonresidential (or business line) rates. Small LECs that mirror their business line rates for the provision of services to smart terminals need not provide the Commission with cost support for this service. The rate for a payphone access line providing service to a dumb terminal would include identical charges for the access line providing service to a "smart instrument," but would also include charges for central office features necessary for the dumb terminal to operate (e.g., coin rating, coin control, etc.). Small LECs that mirror their respective business line rate for the access line provided to smart payphone terminals would have two options. They could provide the Commission with cost support for those additional central office services that are necessary to provide service to a dumb payphone terminal.

In addition, the Commission observes that it has recently approved an Ameritech application to provide payphone access lines to dumb payphones (Case No. 96-844-TP-ATA). Ameritech's Commission-approved rate for this service is \$7.20 per month higher than its access line rate for smart payphones. Small LECs that elect to mirror their business line rate for the access line to smart payphones will also be afforded the option to mirror Ameritech's \$7.20 incremental increase to provide access line service to dumb payphones. Those small LECs, therefore, that elect to mirror their respective business line rate, in addition to Ameritech's \$7.20 incremental increase for the additional services provided to dumb payphones, will not be required to provide cost support for their proposed payphone access line to dumb payphones. Small LECs not utilizing this mirroring process and all large incumbent LECs must file full cost support with their applications.

- (6) On a final note, the Commission observes that this Entry requesting LEC tariff revisions is an initial step towards implementing both the FCC's and Section 276 of the 1996 Act's requirements regarding payphone services. For example, the Commission must, by September 20, 1997, complete a review of its rules applicable to payphone services and remove any regulations that impose market entry or exit barriers. Additionally, by September 20, 1998, each state commission must complete a review of its rules and policies to determine whether it has provided for public interest payphones consistent with the applicable FCC guidelines. As a result of these requirements, the Commission will be issuing future Entries in this proceeding requesting comments on proposals further implementing Section 276 of the 1996 Act's directives.


It is, therefore,

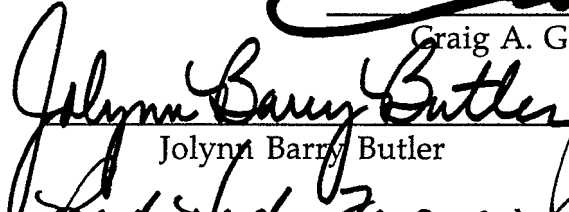
ORDERED, That all incumbent local exchange carriers in the state of Ohio are required to file with the Commission, under this docket, by January 15, 1997, revised tariffs as described in Finding (4) of this Entry. It is, further,

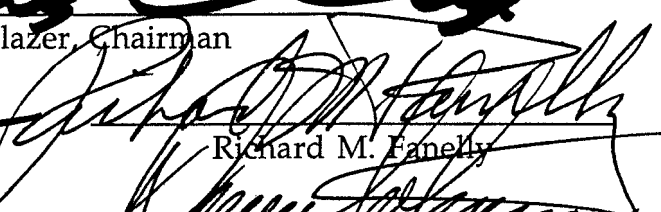
ORDERED, That nothing contained in this Entry shall be deemed to be binding upon this Commission in any subsequent investigation or proceeding involving the justness or reasonableness of any rate, charge, rule, or regulation. It is, further,

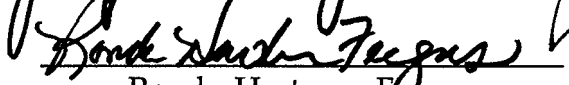
ORDERED, That a copy of this Entry be served upon all incumbent local exchange companies subject to the jurisdiction of this Commission, The Ohio Telephone Association, and The Office of the Consumer's Counsel.

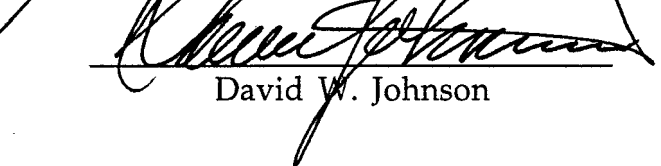
THE PUBLIC UTILITIES COMMISSION OF OHIO

  
Craig A. Glazer, Chairman

  
Jolynn Barry Butler

  
Richard M. Fanelly

  
Ronda Hartman Fergus

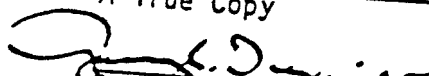
  
David W. Johnson

DFS:ct

Entered in the Journal

DEC 19 1996

A True Copy

  
Gary E. Vigorito  
Secretary

## SERVICE NOTICE

PAGE 1

CASE NUMBER 96-1310-TP-COI  
CASE DESCRIPTION IMPLEMENTATION SECTION 276  
DOCUMENT SIGNED ON December 19, 1996  
DATE OF SERVICE 12-20-96

## PERSONS SERVED

PARTIES OF RECORD ATTORNEYS  
APPLICANT  
IMPLEMENTATION OF SECTION 276 NONE

## ----- INTERESTED PARTIES -----

ADVANCED LIGHTWAVE COMMUNICATIONS NONE  
125 FULTON ST. S.W.  
WARREN, OH 44483

AT&T COMMUNICATIONS OF OHIO, INC. NONE  
65 EAST STATE STREET  
SUITE 1500  
COLUMBUS, OH 43215

COIN PHONE MANAGEMENT CO. NONE  
THOMAS G. ROSE, PRESIDENT  
1846 CARGO COURT  
LOUISVILLE, KY 40299

COIN PHONES INC NONE  
1230 BELLEVIEW DR.  
LAWRENCEBURG, IN 47025

COMMUNICATION CENTRAL NONE  
1150 NORTH MEADOW PKWY  
SUITE 118  
ROSWELL, GA 30076

DOMINION ENTERPRISES INCORPORATED  
GEORGE HOOK  
223366 COMMERCE PARK RD #101B  
BEACHWOOD, OH 44122

NONE

INTELLIPAY SYSTEMS INC  
GEORGE B. LETTS  
509 WINDSOR PARK DRIVE  
DAYTON, OH 45459

NONE

INTERSTATE COIN COMMUNICATIONS, INC  
GUS PENA, PRESIDENT  
27801 EUCLID AVE A.M. SUITE 210  
EUCLID, OH 44132

NONE

LAMPING COMMUNICATIONS  
2018 SEELY RD  
WEST HARRISON, IN 47060

NONE

LORAIN COUNTY VENDING  
1540 BROADWAY  
LORAIN, OH 44052

NONE

NATIONAL PUBLIC TELEPHONE CORP.  
3201 CARNEGIE AVE  
CLEVELAND, OH 44115

NONE

OHIO PAYPHONE ASSN  
C/O GREG HART  
4000 REDBANK RD  
CINCINNATI, OH 45227

NONE

PAYPHONE COMMUNICATIONS  
THOMAS YEAGER  
1209 WOODHURST BLVD  
YOUNGSTOWN, OH 44515

NONE

PHONETEL TECHNOLOGIES INC  
ATTN: TAMMY MARTIN  
1127 EUCLID AVENUE  
CLEVELAND, OH 44115

NONE

R.W. LOVEJOY INC.  
8888 WHITEFORD RD  
ORRAWA LAKE, MI 49267

NONE

REVCO D.S., INC.  
MR. GARY REA  
1925 ENTERPRISE PARKWAY  
TWINSBURG, OH 44087

NONE

SPEAKEASY TELECOMMUNICATIONS  
HARRY GOLDSTEIN  
P.O. BOX 391131  
SOLON, OH 44139

NONE

SPECTRUM COMMUNICATIONS, INC.  
4075 E. 131ST ST.  
CLEVELAND, OH 44105

NONE

TELE-COMMUNICATIONS INC.  
5125 W. 140TH ST  
CLEVELAND, OH 44142

NONE

U.S. VENDAPHONE  
262 S. BROADLEIGH RD  
COLUMBUS, OH 43209

NONE

W/H COMMUNICATIONS  
C/O RAY HUPP  
P.O. BOX 43  
HILLIARD, OH 43026

NONE

DAN DAVIS  
DANIEL S. DAVIS & ASSOC., INC.  
24100 CHAGRIN BLVD, SUITE 425  
BEACHWOOD, OH 44122

NONE

HARRY GOLDSTEIN  
SPEAKEASY TELECOMUNICATIONS  
P.O. BOX 391131  
SOLON, OH 44139

NONE

PHIL BERGER  
PEOPLE TELEPHONE COMPANY  
8041 N.W. 14TH ST  
MIAMI, FL 33126

NONE

THOMAS S. COX  
1680 COBURG RD  
COLUMBUS, OH 43227

NONE